

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Koninklijke Philips Electronics N.V., et al.,

Plaintiffs,

-against-

Cinram International Inc., et al.	08 Civ 00515 (RGS) (GAY)
The ADS Group, et al.	08 Civ 04068 (RGS) (GAY)
Entertainment Distribution Company (USA) LLC, et al.	08 Civ 04070 (RGS) (GAY)
Optical Experts, et al.	08 Civ 04071 (RGS) (GAY)
EMI Group PLC, et al.	08 Civ 07351 (RGS) (GAY)

ORDER

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RICHARD G. STEARNS, United States District Judge.<sup>1</sup>

Pending before the court are several motions to dismiss, or in the alternative, for judgment on the pleadings pursuant to Fed. R. Civ. P. 12(c).<sup>2</sup> A hearing on the motions was held on September 10, 2009.

The court hereby formalizes its tentative oral ruling, made at the close of the Markman Hearing held on December 2, 2009. The motions filed by Jean A. Lagotte, Jr.; Hudson Valley Capital Partners, Inc.; James Caparro; Jordan Copland; Raymond Bernard

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<sup>1</sup>Of the District of Massachusetts, sitting by designation.

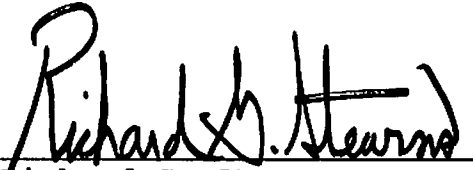
<sup>2</sup>The motions to dismiss were filed by Jean A. Lagotte, Jr., and Hudson Valley Capital Partners, Inc. (08-cv-4068, Dkt. #133), Michael F. Hardwick (08-cv-4068, Dkt. #141), Arun Khurana and David A. Silvon (08-cv-4068, Dkt. #143), James Caparro and Jordan Copland (08-cv-4070, Dkt. #57), and Raymond Bernard Zerrusen and Clifford Steven Boyd (08-cv-4071, Dkt. #63). Philips voluntarily dismissed Khurana and Silvon as defendants on November 25, 2009 (08-cv-4068, Dkt. #181).

Zerrusen; and Clifford Steven Boyd are hereby ALLOWED.

The court will incorporate its written statement of reasons into its Memorandum and Order on the motions to dismiss defendants' counterclaims, which will be forthcoming following the hearing set for January 26, 2010.

SO ORDERED

Dated:  
January 22, 2010

  
Richard G. Stearns  
United States District Judge